

Convention for the Establishment of an Inter-American Tropical Tuna Commission (IATTC) and Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and the Republic of Costa Rica

Basic Instrument and the Transition to the Antigua Convention

The Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949; and Convention for the Strengthening of the Inter-American Tropical Tuna Commission Established by the 1949 Convention between the United States of America and Costa Rica (Antigua Convention) (TIAS 2044).

The Antigua Convention entered into force on August 27, 2010. The Antigua Convention was drafted to update, and eventually replace, the original 1949 Convention. The Antigua Convention contains modern principles and reflects the duties and responsibilities of nations to cooperate to ensure the sustainable management of shared fisheries resources, to minimize impacts to bycatch species, and to conserve the marine ecosystems on which sustainable fisheries depend. The Antigua Convention also provides updated monitoring, control, and surveillance provisions, which, inter alia, help to strengthen IATTC's mandate to combat illegal, unreported, and unregulated (IUU) fishing and illegal imports of tuna product.

The United States, and some other parties to the 1949 Convention, has signed the Antigua Convention, but has not deposited an instrument of ratification. As such, the IATTC will continue to function under a dual-convention scenario until the entry into force of the Antigua Convention for all Parties to the 1949 Convention, at which time the 1949 Convention will be terminated. The United States signed the Antigua Convention on November 14, 2003, and the Senate subsequently provided advice and consent for the United States to ratify the Convention. However, ratification by the United States has been delayed pending enactment of implementing legislation for the Antigua Convention by Congress.

Implementing Legislation

Convention between the United States of America and the Republic of Costa Rica for the establishment of an Inter-American Tropical Tuna Commission, 1949

Tuna Conventions Act of 1950 (64 Stat. 777), as amended (16 U.S.C. 951–961)

Member Nations

The fourteen entities that have ratified/acceded to Antigua include Belize, Canada, China, Costa Rica, El Salvador, the European Union, France (on behalf of its overseas territories), Guatemala, Japan, Kiribati, Korea, Mexico, Nicaragua, and Panama. Additionally, Taiwan is a Member of IATTC pursuant to Article XXVIII of the Antigua Convention, which allows fishing entities to agree to be bound by the terms of the Convention and the measures adopted by the Commission.

The United States, along with Colombia, Ecuador, Peru, Vanuatu and Venezuela, are Members of the IATTC under the 1949 Convention, but have not yet ratified the Antigua Convention.

Cooperating Non Parties and Cooperating Fishing Entities

Bolivia, Honduras, Indonesia and Cook Islands were granted cooperating non-Member status in June 2013.

Commission Headquarters

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Budget

As with most other decisions under the Antigua Convention, the budget of the Commission is adopted by a consensus decision of the Members of the Commission present at a given meeting. In formulating and approving a budget, the Antigua Convention directs the Commission to give due consideration to the principle of cost effectiveness. The Commission maintains separate accounts for the activities carried out by IATTC and the AIDCP. The Antigua Convention provides that the amount of the contribution of each Member of the Commission to the budget shall be determined in accordance with a scheme which the Commission shall adopt, and amend, as required. The scheme must be transparent and equitable for all Members and must be set out in the financial regulations of the Commission.

At the first meetings of the IATTC following the entry into force of the Antigua Convention in 2010, the IATTC Working Group on Finance began discussions on the development of a contribution formula for use under the new Convention. In 2012, the Working Group was again unable to reach agreement on a long-term or permanent contribution formula, but did recommend an interim formula that will continue to be used until 2017 and beyond, until such time as a Member indicates that they can no longer accept its use for the basis of calculating contributions to the IATTC budget.

The provisionally approved IATTC budget for FY2014 is \$6,527,781. The United States assessed contribution is \$1,746,553 for FY2014.

U.S. Representation

A. Appointment Process:

The Tuna Conventions Act of 1950 provides that the United States shall be represented by a total of not more than four Commissioners, of which at least one must be an officer of NOAA, one must be chosen from a nongovernmental conservation organization, and not more than one can reside elsewhere than in a state whose vessels maintain a substantial fishery in the area of the Convention. The Commissioners are appointed by and serve at the pleasure of the President. These Commissioners, along with a State Dept. representative, comprise the U.S. Section to the IATTC.

B. U.S. Commissioners:

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C. Advisory Structure:

The Tuna Conventions Act provides that the Department of State charter a General Advisory Committee (Committee) and a Scientific Advisory Subcommittee (Subcommittee) to advise the U.S. Section regarding policy and science issues and U.S. positions associated with IATTC conservation and management measures. The Committee first met in September 2003. All interested sectors - commercial and recreational fishing and environmental organizations - are represented on the Committee. The Scientific Subcommittee was comprised for the first time in 2010, as this was the first time that applications from the required minimum of five eligible persons were received. The terms of the advisory committees are fixed at three years by the charters. Each member may reapply and there are no term limits. The Committee members are invited to attend all non-executive meetings of the U.S. Section and are given the opportunity to examine and be heard on all proposed programs, reports, recommendations, and regulations of the Commission.

Description

A. Mission/Purpose:

Under the 1949 Convention, the IATTC was established to "1) study the biology of the tunas and related species of the EPO with a view to determining the effects that fishing and natural factors have on their abundance, and 2) to recommend appropriate conservation measures so that the stocks of fish can be maintained at levels which will afford maximum sustainable catches." The objective of the IATTC under the Antigua Convention is to ensure the long-term conservation and sustainable use of tuna and other fish stocks covered by the Convention, in accordance with the relevant rules of international law.

B. Organizational Structure:

The IATTC consists of States and regional economic integration organizations that are Parties to the 1949 Convention and/or the Antigua Convention, and any fishing entity that has expressed its formal commitment to abide by the terms of the Antigua Convention, and a Secretariat headed by a Director of Investigations. The principal duties and functions of the Commission, as reflected in the 1949 Convention and Antigua Convention include, but are not limited to:

- 1) to promote, carry out and coordinate scientific research concerning the abundance, biology and biometry in the Convention Area of covered fish stocks and, as necessary, of associated or dependent species, and the effects of natural factors and human activities on the populations of these stocks and species;
- 2) to adopt measures that are based on the best scientific evidence available to ensure the long-term conservation and sustainable use of covered fish stocks and to maintain or restore the populations of harvested species at levels of abundance which can produce the maximum sustainable yield;
- 3) to adopt, as necessary, conservation and management measures and recommendations for species belonging to the same ecosystem and that are affected by fishing for, or dependent on or associated with covered fish stocks with a view to maintaining or restoring populations of such species above levels at which their reproduction may become seriously threatened; and
- 4) to apply the precautionary approach for covered fish stocks.

Approval of decisions, resolutions, recommendations and publications is only by consensus of all Members. National sections may consist of from one to four members appointed by the governments or the respective Contracting Parties. Each national section may establish an advisory committee which is invited to attend non-executive sessions of the Commission meetings. The Director of Investigations is appointed by the Commission and is responsible for drafting programs of investigations, budget formulation, accounting and administrative support, directing technical staff, coordinating Commission work with other organizations and preparing administrative, scientific, and other reports of the Commission.

C. Programs:

To fulfill its mission, the Commission carries out an extensive research and data collection program. This program is conducted by a permanent, internationally recruited staff selected and directed by the Director of Investigations, who is responsible to the Commission. In addition, the IATTC has established a number of working groups to address specific management and organizational issues and has expanded the scope and nature of its management recommendations in recent years.

Fisheries Conservation and IATTC Management

In recent years, IATTC efforts to conserve and manage tuna stocks in the Convention Area have been composed of a number of different strategies, including limits on both inputs and outputs. In 2002, the IATTC adopted an overall purse seine fleet capacity agreement, which froze the fishing capacity available to Parties to then current levels and established a requirement that purse seine vessels authorized to fish in the Convention Area be included on an IATTC Regional Vessel Register. This effectively established upper limits on capacity in this sector. This is the first known instance of a regional fishery management organization establishing a fleet capacity limit. The IATTC also has a long-term capacity management plan intended to ultimately reduce purse seine capacity to about 158,000 cubic meters carrying capacity, which is thought to be consistent with the long-term maximum yield of tuna stocks. At the 2013 Annual Meeting of the IATTC, the Commission agreed to convene a workshop in 2014 for technical experts to discuss comprehensively and objectively the various matters and issues linked to fleet capacity, to its impact on the resources, and how to reduce overcapacity.

Tuna conservation and management measures are typically adopted on an annual or multi-annual basis. Measures have included such elements as time-area closure periods for the purse seine fishery (C-11-01; C-12-01), a requirement to retain all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption for reasons other than size (C-12-01), catch limits for harvest of bigeye tuna by the longline fishery (C-11-01; C-12-01), as well as catch limits for Pacific bluefin tuna (C-12-09).

In 2013, the Commission extended the tuna conservation measures set to expire in 2013 under C-12-01, by adopting C-13-01 and extending measures for three additional years. The Commission adopted a measure to extend catch limits for Pacific bluefin tuna for an additional year C-13-02. The Commission also adopted a measure to collect data on fish aggregating devices (C-13-04) as well as data collection for catch and effort for North Pacific albacore (C-13-03).

The IATTC has also adopted conservation and management measures to address the bycatch and incidental capture of other living marine resources such as seabirds, sea turtles, and sharks.

Other measures adopted include initiatives that regulate transshipment, proscribe a vessel monitoring system, and identify a list of vessels presumed to have carried out IUU fishing in the eastern Pacific Ocean.

A list of active IATTC resolutions and recommendations can be found on the Commission's website (<http://iattc.org/ResolutionsActiveENG.htm>).

Minutes from the meetings of the Commission, as well as minutes from the various working groups, can also be found on the Commission's website (<http://www.iattc.org/Minutes/IATTC-AIDCP-Minutes-ReportsENG.htm>).

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